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| Notice of Allowability | Application No. | Applicant(s) | |
| | 10/664,178 | GOODMAN, HENRY C. | |
| | Examiner | Art Unit | |
| | Filip Zec | 3744 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application filed on 9/17/03.
2. ☒ The allowed claim(s) is/are 1-28.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date <u>9/17/03</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Douglas Fekete on 3/4/2005.

The application has been amended as follows:

- Change claim 1 to - - A condensing unit comprising; a compressor having a predefined dimension, a condenser in fluid communication with said compressor for receiving refrigerant from said compressor and cooling the refrigerant, a base supporting said compressor and condenser, said base including a first mounting mechanism comprising a first mounting platform and first fasteners disposed in a first pattern therein, and a second mounting mechanism upwardly and outwardly stepped from said first mounting platform and comprising a second mounting platform and second fasteners disposed in a first pattern therein, wherein said compressor based upon said predefined dimensions engages said first mounting mechanism secured by said first fasteners or said second mounting mechanism secured by said second fasteners. - -
- Change claim 2 to - -A unit as set forth in claim 1 wherein said base has a vertical axis.- -
- Change claim 10 to - -A unit as set forth in claim 1 wherein said first and second fasteners are further defined as a first and second plurality of insert-molded fasteners molded into said first and second mounting platforms, respectively, wherein said

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compressor engages one of said first or second pluralities of insert-molded fasteners based on said predefined dimension of said compressor. - -

2. The following is an examiner's statement of reasons for allowance: the prior art does not anticipate nor render obvious the combination set forth in the independent claims, and specifically does not show the base for supporting a compressor and a condenser, said base having two compressor mounting mechanisms, wherein one mechanism is stepped upwardly and outwardly with respect to the other and said base having two condenser support channels, wherein outer support channel is stepped downwardly from the inner support channel, enabling the mounting of compressors and condensers with different predefined dimensions.

3. U.S. Patents 6,662,588 to Houk et al., 6,705,105 to Wendt et al. and 5,437,164 to Consiglio teach an air-conditioner housing assembly, but they do not specify the mounting scheme for the compressor or the condenser to be such where one could use it for different predefined dimensions (of said cooling elements). In FIG. 4 and FIG. 8, U.S. Patent 6,701,739 to Morse teaches a base for a compressor mount, having supporting channels for the condenser. Both the base and the channels, however, are not adjustable and fit only one set of equipment. In FIG. 2, U.S. Patent 6,343,481 to Simmons et al. teaches a housing for an air conditioner, but the supporting structure for the condenser is a non-adjustable bracket. Finally, U.S. Patents 5,221,192 to Heflin et al., 5,699,992 to Hauser and 5,306,121 to Heflin et al. teach a compressor and pump mounts for attenuating the shock and vibration. Specifically, Hauser teaches a base plate for a pump, whereupon pumps of different sizes can be mounted. It, however, does not teach one mounting mechanism to be stepped upwardly and outwardly with respect to the other.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Filip Zec whose telephone number is (571) 272-4815. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Denise Esquivel can be reached on (571) 272-4808. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Filip Zec
Examiner
Art Unit 3744


CHERYL TYLER
SUPERVISORY PATENT EXAMINER

FZ